

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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RONALD GONDA,	:	CIVIL ACTION NO. 00-2286
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	:	
Plaintiff,	:	
	:	
v.	:	CHIEF JUDGE AMBROSE
	:	
	:	
METROPOLITAN LIFE INSURANCE	:	
COMPANY and WILLIAM FRIEDT, JR.,	:	
Defendants.	:	

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**DEFENDANTS METROPOLITAN LIFE INSURANCE COMPANY'S AND WILLIAM  
FRIEDT'S MOTION IN LIMINE TO EXCLUDE EVIDENCE OF  
OTHER ALLEGED "BAD ACTS" BY WILLIAM FRIEDT**

**PRELIMINARY STATEMENT**

Metropolitan Life Insurance Company (“MetLife”) and William Friedt, Jr. hereby submit the following Motion in Limine to Exclude Evidence of Other Alleged “Bad Acts” by William Friedt:

1. Plaintiff has identified Exhibit 35, the sworn statement of Mr. Friedt, taken in preparation for an unrelated wrongful termination case in 1994. See Ex. A. Plaintiff has also identified Exhibits 33, 34, 36, 37, 38, and 39, a number of documents related to complaints allegedly filed against Mr. Friedt (and other sales representatives) regarding “internal replacement,” and communications and charts detailing Mr. Friedt’s rate of internal replacement, known within MetLife as his financed in-force premium rate, or his “FIP ratio.” See Ex. B-G. Plaintiff has also identified Exhibits 26 and 27, which refer to the mistaken issuance of an unrelated policy with the wrong face value. See Ex. H & I. Finally, plaintiff has identified

Exhibits 32 and 40 which involve complaints against Mr. Friedt (and other sales representatives) for allegedly selling insurance policies as “50/50 savings plans” or as “Individual Retirement Benefits.” See Ex. J & K.

2. Testimony and exhibits related to the alleged “bad acts” of Mr. Friedt, including plaintiff’s Proposed Exhibits 26, 27, and 32-40 should be excluded for the reasons set forth in detail in MetLife’s and Mr. Friedt’s Brief in Support of their Motion to In Limine to Exclude Evidence of Other Alleged “Bad Acts” by William Friedt, which is incorporated by reference.

**WHEREFORE**, defendants respectfully request that this Court grant Metropolitan Life Insurance Company’s and William Friedt’s Motion in Limine to Exclude Evidence of Other Alleged “Bad Acts” by William Friedt and enter an Order barring the introduction or use of evidence of alleged “bad acts” committed by William Friedt, including plaintiff’s Proposed Exhibits 26, 27 and 32-40.

Respectfully Submitted,

s/ B. John Pendleton, Jr.

B. John Pendleton, Jr.  
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Attorneys for Defendant  
Metropolitan Life Insurance Company  
And William Friedt, Jr.

Dated: June 19, 2006

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served via the electronic filing service, on this 19<sup>th</sup> day of June 2006 on the following counsel of record:

Kenneth R. Behrend, Esq.  
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s/ B. John Pendleton, Jr.